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PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of)
Richard E. Rothman) Examiner: TBA
Serial No. 10/743,384) Group Art Unit: 1637
Filed: December 23, 2003)
For: QUANTITATIVE ASSAY FOR THE)
SIMULTANEOUS DETECTION AND SPECIATION)
OF BACTERIAL INFECTIONS) Atty. Dkt. No. 001107.00412

REQUEST UNDER 37 C.F.R. § 1.48(a)

Commissioner of Patents
c/o Customer Service Window
Randolph Building
401 Dulany Street
Alexandria, VA 22314

Sir:

Petitioners request that the named inventorship of the above captioned application be changed to add Charlotte A. Gaydos as an inventor.

The following items are enclosed to complete this petition:

1. Fee authorization for \$130.00 under 37 C.F.R. § 1.17(i);
2. Statement by new inventor Charlotte A. Gaydos;
3. Statement by current assignee of record The Johns Hopkins University;
4. Declaration of Richard E. Rothman, Samuel Yang, Shin Lin, and Gabor D. Kelen.

07/11/2005 SSITHIB1 00000082 190733 10743384

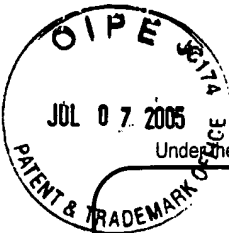
01 FC:1464 130.00 DA

Dated: July 7, 2005

Customer No. 22907
Banner & Witcoff, LTD.

Respectfully submitted,

Sarah A. Kagan
Sarah A. Kagan
Registration No. 32,141



PROCESSING FEE
Under 37 CFR 1.17(i)
TRANSMITTAL

(Fees are subject to annual revision)

Send completed form to: Commissioner for Patents
P.O. Box 1450, Alexandria, VA 22313-1450

Application Number	10/743,384
Filing Date	December 23, 2003
First Named Inventor	Richard E. ROTHMAN
Art Unit	1637
Examiner Name	TBA
Attorney Docket Number	001107.00412

Enclosed is a paper filed under 37 CFR 1.48(a) that requires a processing fee (37 CFR 1.17(i)).
Payment of \$ 130 is enclosed.

This form should be included with the above-mentioned paper and faxed or mailed to the Office using the appropriate Mail Stop, if applicable. For transmittal of petition fees under 37 CFR 1.17(f), (g) or (h), see form PTO/SB/17p.

Payment of Fees (small entity amounts are NOT available for the petition fees)

- ☒ The Commissioner is hereby authorized to charge the following fees to Deposit Account No. 19-0733
☒ processing fee under 37 CFR 1.17(i) ☒ any deficiency of fees and credit of any overpayments

Enclose a duplicative copy of this form for fee processing.

☐ Check in the amount of \$ is enclosed.

☐ Payment by credit card (Form PTO-2038 or equivalent enclosed). Do not provide credit card information on this form.

**Processing Fees under 37 CFR 1.17(i): Fee \$130 Fee Code 1808 for all,
Except for § 1.221 papers (Fee Code 1803)**

For papers filed under:

- § 1.28(c)(3) - for processing a non-itemized fee deficiency based on an error in small entity status.
- § 1.41 - for supplying the name or names of the inventor or inventors after the filing date without an oath or declaration as prescribed by § 1.63, except in provisional applications.
- § 1.48 - for correcting inventorship, except in provisional applications.
- § 1.52(d) - for processing a nonprovisional application filed with a specification in a language other than English.
- § 1.53(b)(3) - to convert a provisional application filed under § 1.53(c) into a nonprovisional application under § 1.53(b).
- § 1.55 - for entry of late priority papers.
- § 1.99(e) - for processing a belated submission under § 1.99.
- § 1.103(b) - for requesting limited suspension of action, continued prosecution application (§ 1.53(d)).
- § 1.103(c) - for requesting limited suspension of action, request for continued examination (§ 1.114).
- § 1.103(d) - for requesting deferred examination of an application.
- § 1.217 - for processing a redacted copy of a paper submitted in the file of an application in which a redacted copy was submitted for the patent application publication.
- § 1.221 - for requesting voluntary publication or republication of an application. **Fee Code 1803**
- § 1.291(c)(5) - for processing a second or subsequent protest by the same real party in interest.
- § 1.497(d) - for filing an oath or declaration pursuant to 35 U.S.C. 371 (c)(4) naming an inventive entity different from the inventive entity set forth in the international stage.
- § 3.81 - for a patent to issue to assignee, assignment submitted after payment of the issue fee.

Signature

Sarah A. Kagan

Typed or printed name

July 7, 2005

Date

32,141

Registration No., if applicable

This collection of information is required by 37 CFR 1.17. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 5 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.



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In re Application of)	
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Richard E. Rothman)	Examiner: TBA
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Serial No. 10/743,384)	Group Art Unit: 1637
)	
Filed: December 23, 2003)	
)	
For: QUANTITATIVE ASSAY FOR THE)	
SIMULTANEOUS DETECTION AND SPECIATION))	
OF BACTERIAL INFECTIONS)	Atty. Dkt. No. 01107.00412

STATEMENT UNDER 37 C.F.R. § 1.48(a)(2)

Commissioner for Patents
Post Office Box 1450
Alexandria, Virginia 22313-1450

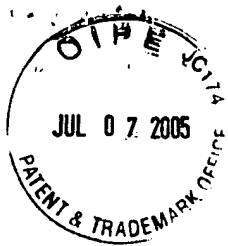
Sir:

I, Charlotte A. Gaydos, declare:

1. That I am an inventor of the above-captioned application.
2. That the error in failing to name me as an inventor occurred without any deceptive intent on my part.
3. That all statements made herein of my knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

11-22-04
Date

Charlotte A. Gaydos
Charlotte A. Gaydos



PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of)	
)	
Richard E. Rothman)	Examiner: TBA
)	
Serial No. 10/743,384)	Group Art Unit: 1637
)	
Filed: December 23, 2003)	
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For: QUANTITATIVE ASSAY FOR THE)	
SIMULTANEOUS DETECTION AND SPECIATION))	
OF BACTERIAL INFECTIONS)	Atty. Dkt. No. 01107.00412

STATEMENT UNDER 37 C.F.R. § 1.48(a)(5)

Commissioner for Patents
Post Office Box 1450
Alexandria, Virginia 22313-1450

Sir:

Current assignee, The Johns Hopkins University, agrees to the change of inventorship on the above-captioned patent application to add Charlotte A. Gaydos.

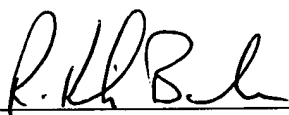
The Johns Hopkins University is an assignee of the above-captioned patent application by virtue of an assignment from inventors Richard E. Rothman, Samuel Yang, Shin Lin, and Gabor D. Kelen recorded on June 20, 2002 at Reel 013013, Frame 0102.

The undersigned individual has authority to sign on behalf of The Johns Hopkins University.

The Johns Hopkins University

9/8/04

Date



R. Keith Baker, Ph.D.
Director
Licensing and Technology Development
The Johns Hopkins University School of Medicine



JOINT DECLARATION FOR PATENT APPLICATION

As the below named inventors, we hereby declare that:

Our residence, post office address and citizenship are as stated below next to our names;

We believe we are the original, first and sole inventors of the subject matter which is claimed and for which a patent is sought on the invention entitled **QUANTITATIVE ASSAY FOR THE SIMULTANEOUS DETECTION AND SPECIATION OF BACTERIAL INFECTIONS**, the specification of which

- ☐ is attached hereto.
☒ was filed on December 23, 2003 as Application Serial Number 10/743,384 and was amended on _____ (if applicable).
☐ was filed under the Patent Cooperation Treaty (PCT) and accorded International Application No. _____, filed _____, and amended on _____ (if any).

We hereby state that we have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

We hereby acknowledge the duty to disclose information which is material to patentability in accordance with Title 37, Code of Federal Regulations, §1.56(a).

Prior Foreign Application(s)

We hereby claim foreign priority benefits under Title 35, United States Code, §119 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application(s) for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

Country	Application No.	Date of Filing (Day, Month, Year)	Date of Issue (Day, Month, Year)	Priority Claimed Under 35 U.S.C. §119

Prior United States Provisional Application(s)

We hereby claim priority benefits under Title 35, United States Code, §119(e)(1) of any U.S. provisional application(s) listed below:

U.S. Provisional Application No.	Date of Filing (Day, Month, Year)	Priority Claimed Under 35 U.S.C. §119(e)(1)
60/272,642	01 March 2001	Yes

Prior United States Application(s)

We hereby claim the benefit under Title 35, United States Code, §120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, §112, We acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, §1.56(a) which occurred between the filing date of the prior application and the national or PCT international filing date of this application:

Application Serial No.	Date of Filing (Day, Month, Year)	Status X Patented, Pending, Abandoned
10/085,134	01 March 2004	Patented

Power of Attorney

And we hereby appoint, both jointly and severally, as our attorneys, all Banner & Witcoff, Ltd. attorneys indicated therein under PTO Customer Number #22907, with full power of substitution and revocation, to prosecute this application and to transact all business in the Patent and Trademark Office.

All correspondence and telephone communications should be addressed to:

Banner & Witcoff, Ltd.
Customer Number: 22907 (WDC)

We hereby declare that all statements made herein of our own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Signature [Signature] Date 11/22/07
Full Name of Inventor Rothman Richard E.
Family Name First Given Name Second Given Name
Residence Cockeysville, Maryland Citizenship U.S.
Post Office Address 1131 Ivy Hill Road, Cockeysville, MD 21030

Signature [Signature] Date 11/22/07
Full Name of Inventor Yang Samuel
Family Name First Given Name Second Given Name
Residence Baltimore, Maryland Citizenship U.S.
Post Office Address 1620 McElderry Street, Apartment #615, Baltimore, MD 21205

Signature [Signature] Date 11-22-07
Full Name of Inventor Lin Shin
Family Name First Given Name Second Given Name
Residence Baltimore, Maryland Citizenship U.S.
Post Office Address 1620 McElderry Street, Apartment #614, Baltimore, MD 21205

Signature [Signature] Date 12/20/07
Full Name of Inventor Kelen Gabor D.
Family Name First Given Name Second Given Name
Residence Baltimore, Maryland Citizenship U.S.
Post Office Address 1307 Malverne Avenue, Baltimore, MD 21204

Signature [Signature] Date 11-22-07
Full Name of Third Inventor Gaydos Charlotte A.
Family Name First Given Name Second Given Name
Residence Bel Air, Maryland Citizenship U.S.A.
Post Office Address 1143 Starmount Court, Bel Air, Maryland 21015